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Plaintiff(s), pro se

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Trevor Reid,	Case No. CV-22-00068-PHX-SMB
Crystale Reason	
Plaintiffs	
v.	
U.S. Department of the Interior, et al	
Defendants	
	PLAINTIFFS' JOINT RESPONSE
	TO SUBSTITUTED DEFENDANT
	UNITED STATES OF AMERICA'S
	MOTION TO CONSOLIDATE
	AND EXTEND THE
	RESPONSIVE PLEADING
	DEADLINE (FIRST)

Plaintiffs Trevor Reid and Crystale Reason take no position for or against defendant United States of America's (United States) requested extension. In order to more fully inform the Court, Plaintiffs state as follows:

1. Plaintiffs agree with Defendant United States that a single pleading deadline furthers a just, expeditious resolution of this matter, whether extended or not.
2. Plaintiffs concede that personal service was not perfected as to the three law enforcement officer defendants in their individual capacities. However, Plaintiffs also were not idle in this regard. Simultaneous with the certified mailings on April 19th, 2022 indicated in the later Affidavit of Service (ECF Doc. 15, pp. 1-2),

Plaintiffs requested that the three individual Defendants waive service per Fed. R. Civ. P. 4(d). The materials required by the rule, including return postage, were mailed to the only known address Plaintiffs have for those Defendants — the park headquarters. To date no waivers have been received back.

3. Plaintiffs have only recently learned the sad news that Defendant Justin P. Doyle is deceased.
4. Plaintiffs are unable to serve John/Jane Doe Defendants, if any, until they are more precisely identified and located.
5. On June 13th, 2022 Plaintiffs filed a notice of voluntary dismissal (ECF Doc. 18) as to non-FTCA claims against the unserved individual Defendants while maintaining all FTCA claims against the now substituted Defendant, United States, as well as maintaining all claims whatsoever against Defendants Justin P. Doyle, David Ballam and Cynthia Sirk-Fear in their official capacities as law enforcement officers of the United States.
6. It appears to Plaintiffs that by operation of Plaintiffs' Joint Notice Of Voluntary Dismissal Of Specified Claims As To Particular Individual Defendants (ECF Doc. 18) all remaining identified Defendants have either been served per Fed. R. Civ. P. 4(i)(1), (2) — i.e. by “[serving] the United States and also [sending] a copy of the summons and of the complaint by registered or certified mail to the agency, corporation, officer, or employee” — or substituted by a Defendant who has been so served. This is attested by the server's affidavits (ECF Docs. 9 and 15).

Respectfully submitted this 13th day of June, 2022.

s/Trevor Reid, plaintiff pro se

s/Crystale Reason, plaintiff pro se

CERTIFICATE OF SERVICE

I certify that on June 13th, 2022 in addition to filing the foregoing document via CM/ECF I mailed a copy via first class mail to each of the following parties:

United States of America
United States Department of the Interior
National Park Service:

U.S. Attorney, ATTN: Noel Capps
2 Renaissance Square
40 N Central Ave., Ste. 1800
Phoenix, AZ 85004-4408

Justin P. Doyle
David Ballam
Cynthia Sirk-Fear:

18100 Park Headquarters Road
Triangle, VA 22172

s/Crystale Reason